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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		A1	TORNEY DOCKET NO.
08/986,606	12/08/9	7 SLAONE		N	
		HM22/0531	$\neg$	E	KAMINER
DENNISON, MESEROLE, SCHEINER & SCHULTZ 612 CRYSYAL SQUARE 4 1745 JEFFERSON DAVIS HIGHWAY			DAVENPORT,A		
				ART UNIT	PAPER NUMBER
ARLINGTON V		2 HIGHWAY		1653	. 22
				DATE MAILED:	05/31/01

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 

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	Application No.	Applicant(s)					
Office Action Commons	08/986,606	SLAONE, NATHAN H.					
Office Action Summary	Examiner	Art Unit					
	Avis M. Davenport	1653					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address							
Period for Reply	( IO OFT TO EVEIDE AMONTH!	E) EDOM					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.							
<ul> <li>Extensions of time may be available under the provisions of 37 after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) day be considered timely.</li> <li>If NO period for reply is specified above, the maximum statutory</li> </ul>	cation. is, a reply within the statutory minimum of	thirty (30) days will					
communication Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).							
Status							
1) Responsive to communication(s) filed on <u>26 J</u>	lanuary 2001/2 Jan 2000/2 Sep (	183/ War 1833/ 1619 on 1878					
24/23 11110 1111111111111111111111111111111	is action is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims							
4) Claim(s) 1-3 is/are pending in the application.							
4a) Of the above claim(s) is/are withdra	wn from consideration.						
5) Claim(s) is/are allowed.							
6)⊠ Claim(s) <u>1-3</u> is/are rejected.							
7) Claim(s) is/are objected to.							
8) Claims are subject to restriction and/or election requirement.							
Application Papers							
9) The specification is objected to by the Examiner.							
10) The drawing(s) filed on is/are objected to by the Examiner.							
11) The proposed drawing correction filed on is: a) approved b) disapproved.							
12) The oath or declaration is objected to by the Examiner.							
Priority under 35 U.S.C. § 119							
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).  a) All b) Some * c) None of the CERTIFIED copies of the priority documents have been:							
a) ☐ All b) ☐ Some * c) ☐ None of the CERTIF	-IED copies of the phonty docum	ents nave been.					
2. received in Application No. (Series Code / Serial Number)							
3. received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
14) Acknowledgement is made of a claim for dome	estic priority under 35 U.S.C. & 1	19(e).					
Attachment(s)							
<ul> <li>14) Notice of References Cited (PTO-892)</li> <li>15) Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>16) Information Disclosure Statement(s) (PTO-1449) Paper No(s)</li> </ul>	ary (PTO-413) Paper No(s) Il Patent Application (PTO-152)						



Application/Control Number: 08/986,606

Art Unit: 1653

## **DETAILED ACTION**

## Response to Amendment

The sequence disk and listing submitted in the January 26, 2001 communication is acceptable and has been entered. The submitted data meet the requirements set forth in 37 CFR 1.821-1.825.

Claims 1-3 are pending.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

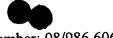
The rejection of claims 1 and 3 under 35 USC § 101 as indefinite is maintained.

The rejection is maintained for essentially the same reasons as the rejection as set forth in the previous office action filed September 17, 1998 as paper #4.

The rejection of claim 1 under 35 USC § 112, second paragraph is maintained. The rejection is maintained for essentially the same reasons as the rejection as set forth in the previous office action filed September 17, 1998.

The rejection of claims 1-3 under 35 USC § 102(b) as being anticipated by Ridge et al. is maintained. The rejection is maintained for essentially the same reasons as the rejection as set forth in the previous office action filed September 17, 1998.

Applicants response filed November 16, 1998 in paper #5 is acknowleged. However, the handwritten document was very hard to read and could not be fully considered. Please answer the arguments in typewritten form for clarity purposes.



Application/Control Number: 08/986,606

Art Unit: 1653

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avis M. Davenport whose telephone number is (703) 308-4002. The examiner can normally be reached on T-F(10:00-8:00) Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached on (703) 308-2923. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 308-4242 for After Final communications.



Application/Control Number: 08/986,606

Art Unit: 1653

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

Avis M. Davenport Primary Examiner Art Unit 1653

amd May 11, 2001